

## **REMARKS**

Claims 1-24 and 31 are pending. The Office Action dated September 25, 2006 has been carefully reviewed. Reconsideration of the grounds of rejection is respectfully requested in view of the remarks herein.

### **Summary of the Office Action**

References to paragraphs in the subject office action are referred to herein in parentheses identifying the appropriate paragraph, e.g. (para x).

The Examiner has object to the Specification because it contains an embedded hyperlink on page 12, line 6 (para 3).

Claims 3, 4, 14 and 15 have been rejected under 35 U.S.C. § 112 ¶2 as indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regards as the invention. (para 4).

Claims 1-6, 8-17, 19-24 and 31 have been rejected, under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 5,884,310, issued to Brichta et al. ("Brichta"), in view of U.S. Patent No. 6,102,969, issued to Christianson et al. ("Christianson") (para 5).

Claims 7 and 18 have been rejected, under 35 U.S.C. § 103(a), as being unpatentable over Brichta in view of Christianson and further in view of U.S. Patent No. 6,366,915 ("Rupert") (para 6).

### **Response to Office Action**

#### **1. Objection to the Specification**

The Applicants have submitted an amended paragraph, page 11, line 10 through page 12, line 10, of the Specification. The embedded hyperlink has been removed. The Applicants request the Examiner's review and approval of the Specification.

#### **2. Rejection of Claims 1-6, 8-17, 19-24 and 31**

In response to the Examiner's rejection of claims 1-6, 8-17, 19-24 and 31, the Applicants respectfully assert that the pending claims are allowable over the cited references because the Examiner has failed to establish a *prima facie* case of obviousness. The MPEP states, in relevant part:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations.

MPEP § 2142.

Brichta and Christianson fail to teach or suggest, either alone or in combination all of the claim limitations of claims 1-6, 8-17, 19-24 and 31. All claim limitations must be taught or suggested by the prior art to establish a *prima facie* obviousness rejection. MPEP § 2143.03

Claim 1 is directed to a method for automated processing of a search list provided by a remote user, and retrieving and delivering information corresponding to at least one item contained in said search list. The method is comprised of the following steps: receiving, onto a central server that services a plurality of remote users, a search list provided by the user, said search list comprising at least one item; forming a query at the central server based on the search list; periodically performing the following steps: initiating, from the central server, a search using the query on two or more information sources on the World Wide Web in order to locate information corresponding to each of said at least one item; retrieving, with the central server, said information; formatting said information into a common format using the central server; ascertaining whether said information is current by comparing said information in the common format to information stored in a storage database in the common format, wherein the

information stored in the database corresponds to results of previous searches using the query;  
and after step (iv), electronically delivering, using said central server, only said information  
ascertained to be current to the remote user. The Applicants respectfully assert that Brichta and  
Christianson fail to show, either alone or in combination, all of the underlined features in the  
paragraph set forth above.

Applicants respectfully assert that Brichta fails to disclose formatting said information  
into a common format using the central server. In Brichta, the source database contains a  
number of records having disparate formats and file structures. Brichta, Col. 2, line 55. The  
databases may be different types and/or operate on different platforms. Brichta, Col. 2, line 56-  
57. The database controller, of the source system, contains a transformation engine which is  
used to translate data extracted from the source database into a common format and file structure.  
Brichta, Col. 3, lines 10-12. This is performed so that the data from the different data sources  
may be loaded onto the common server in a common format.

In the present application, the central server searches a plurality of content sources using  
the query based on the search list. See, Application, p. 14, line 14. The central server then  
retrieves the information from the search and provides the information to a storage database,  
within the central server, “where the information is formatted into a common format.” See,  
Application, p. 14, line 16-18. The Applicants respectfully assert that formatting information  
obtained from a search of information sources on the web is not the same as formatting  
unsearched source information stored in a database.

The Examiner has cited Col. 7, lines 25-50 as disclosing the claim element ascertaining  
whether said information is current by comparing said information in the common format to  
information stored in a storage database in the common format, wherein the information stored

in the database corresponds to results of previous searches using the query. The cited section of Brichta describes steps to validate the data received from a query of the common database. The validation is performed by comparing the status of the data received to the status of that data in the common database where the status is the number of rows of data in the common database. This step is evaluating the received data to determine if it is in the format required by the common database. The Applicants respectfully submit that the cited section of Brichta is not the same as comparing formatted information obtained from a current search to results of previous searches using the query. Comparing the number of rows from a search to the number of rows in a database is not the same as determining if the information is current. Furthermore, the number of rows in a database is not the same as the results of a previous search.

Lastly, Brichta fails to disclose after step (iv) (ascertaining whether the information is current), electronically delivering, using said central server, only said information ascertained to be current to the remote user. In Brichta, after the common database controller executes the query, it “passes the results back to the client database controller 52.” Brichta, Col. 7, lines 34-35. Firstly, Applicants assert that Brichta does not provide for electronic delivery of current search results to a user. Brichta discloses delivery of search results to the database. Secondly, as discussed above, Brichta does not provide for a mechanism to ascertain or provide current search results.

Christianson discloses a method and system for a personalized network robot. Christianson, Col. 2, lines 43-44. Christianson fails to disclose any of the limitations that are not disclosed in Brichta, as discussed above.

The Applicants respectfully assert that Brichta and Christianson fail to show, either alone or in combination, all of the claim limitations of claim 1. Likewise Brichta and Christianson fail

to show, either alone or in combination, all of the claim limitations of independent claims 12, 23, 24 and 31 which include the same claim limitations as claim 1.

Claims 2-6 and 8-11 depend directly from independent claim 1. Because these claims depend from an allowable base claim, such claims are similarly allowable. Claims 12-17 and 19-22 depend directly from independent claim 12. Because these claims depend from an allowable base claim, such claims are similarly allowable.

#### **4. Rejection of Claims 7 and 18**

Claim 7 and claim 18 depend from independent claims 1 and 12. The Applicants respectfully assert, that claims 7 and 18 are patentable over Brichta in view of Christianson and further in view of Rubert for the reasons noted above. Additionally, Rubert fails to disclose any of the limitations that are not disclosed in Brichta and Christianson, as discussed above, but are required by claims 1 and 12. Rubert discloses a method and system to access data from one of several databases. The users may receive the query results via email. Rubert, Col. 5, lines 20-21. Therefore, it is submitted that claims 7 and 18 are allowable because such claims depend directly or indirectly from an allowable base claim.

#### **CONCLUSION**

In view of the foregoing remarks, it is submitted that pending claims 1-24 and 31 are in condition for allowance. Accordingly, reconsideration and allowance of claims 1-24 and 31 are requested.

Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejections presented in the Office Action mailed September 25, 2006. The Examiner is invited to contact the undersigned at 215-963-5055 to discuss any matter concerning this Application.

The Commissioner is hereby authorized by this paper to charge any fees due in connection with the filing of the response to Deposit Account No. **50-0310**.

Respectfully submitted,

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Date

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